

UNITED STATES INTERNATIONAL TRADE COMMISSION  
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION  
of the 108<sup>th</sup> Congress <sup>1</sup>**

[Date approved: August 6, 2004]<sup>2</sup>

**Bill No. and sponsor:** H.R. 4085 (Mr. Baker)

**Proponent name, location:** Ciba Specialty Chemicals, (contact: John Deming, ((202) 857-5200)

**Other bills on product (108<sup>th</sup> Congress only):** None

**Nature of bill:** Renewal of expired temporary duty provision through December 31, 2007.

**Retroactive effect:** None

**Suggested article description(s) for enactment (including appropriate HTS subheading(s)):**

2-Naphthalenesulfonic acid, 7,7"- [(2-methyl-1,5-pentanediy)bis[imino(6-fluoro-1,3,5-triazine-4,2-diyl)-imino]]bis[4-hydroxy-3-[(4-methoxysulfonyl)pheno]azo]-, potassium sodium salt (Reactive red 268) (CAS No. 152397-21-2) (provided for in subheading 3204.16.30)

**Check one:** ☐ Same as that in bill as introduced  
☒ Different from that in bill as introduced (explain differences in Technical comments section)

**Product information, including uses/applications and source(s) of imports:**

The subject chemical is a reactive dye used to color cotton fiber and fabric. Ciba Specialty Chemicals imports the subject chemical from its affiliated plant in Basel, Switzerland.

<sup>1</sup> Industry analyst preparing report: Eric Land (202-205-3349); Tariff Affairs contact: Dave Beck (202-205-2603).

<sup>2</sup> Access to an electronic copy of this memorandum is available at <http://www.usitc.gov/billrpts.htm> Access to a paper copy is available at the Commission's Law Library (202-205-3287) or at the Commission's Main Library (202-205-2630).

**Estimated effect on customs revenue:**

<b>HTS subheading: <u>3204.16.30</u></b>					
	2004	2005	2006	2007	2008
Col. 1-General rate of duty (AVE) <u>1/</u>	6.5%	6.5%	6.5%	6.5%	6.5%
Estimated value <i>dutiable</i> imports	\$4,250,000	\$4,250,000	\$4,250,000	\$4,250,000	\$4,250,000
Customs revenue loss	\$276,250	\$276,250	\$276,250	\$276,250	\$276,250

1/ The AVE is the ad valorem equivalent of a specific or compound duty rate expressed as a percent, using the most recent import data available.

Source of estimated dutiable import data: Commission estimates.

**Contacts with domestic firms/organizations (including the proponent):**

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
Ciba Specialty Chemicals Corp.	5/25/04	No	No	No
ColorChem	6/1/04	No	No	No
ETAD	6/1/04	No	No	No
Rohn & Haas	6/1/04	No	No	No
Day-Glo	6/1/04	No	No	No
NFC	6/1/04	No	No	No
Noveon	6/1/04	No	No	No
Bayer Corporation	6/1/04	No	No	No
Carey Industries, Inc.	6/1/04	No	No	No
Everlight USA, Inc.	6/1/04	No	No	No
Sensient Technical Color	6/1/04	No	No	No

Clariant Corporation	6/1/04	No	No	No
Dystar L.P.	6/1/04	No	No	No
Yorkshire Americas, Inc.	6/1/04	No	No	No
Color Resources International, Inc.	6/1/04	No	No	No
BASF, Functional Polymers Business Group	6/1/04	No	No	No
Fabricolor, Inc.	6/1/04	No	No	No
Colorants and Textile Leather Chemicals	6/1/04	No	No	No
United Color	6/1/04	No	No	No
Fanwood Chemical	6/1/04	No	No	No
Passaic Color	6/1/04	No	No	No
Milliken	6/1/04	No	No	No

**Technical comments:<sup>3</sup>**

The Commission recommends the Color Index name “Reactive red 268” be included in the proposed article description. In addition, certain editorial amendments have been made (see “Suggested article description,” above).

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<sup>3</sup> The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

From: Deming John IC US [john.deming@cibasc.com]  
Sent: Friday, June 18, 2004 10:02 AM  
To: Land, Eric  
Cc: Robert Hurley (E-mail); Hirsch Chuck TE US; Bryla Kevin IC US; Peggy Hartness (E-mail)  
Subject: RE: Duty suspensions

HR 4087 is TE-1-04 Reactive Red 270  
HR 4088 is TE-2-04 Reactive Blue 268  
HR 4085 is TE-3-04 Reactive Red 268  
HR 4086 is TE-4-04 Reactive Yellow 208  
HR 4084 is TE-5-04 Disperse Red 086

-----Original Message-----

From: Eric.Land@usitc.gov [mailto:Eric.Land@usitc.gov]  
Sent: Thursday, June 17, 2004 3:26 PM  
To: Deming John IC US  
Subject: RE: Duty suspensions

Mr. Deming, if possible, could you please send me the Color Index names that correspond to the chemicals in the duty suspension bills? Thanks.

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Eric Land  
U.S. International Trade Commission  
500 E Street, SW  
Washington, D.C. 20436  
land@usitc.gov  
(ph) 202-205-3349  
(fax) 202-205-2150

-----Original Message-----

From: Deming John IC US [mailto:john.deming@cibasc.com]  
Sent: Tuesday, May 25, 2004 1:55 PM  
To: Land, Eric  
Cc: Peggy Hartness (E-mail); Robert Hurley (E-mail)  
Subject: Duty suspensions

Eric,

My records show that Congressman Baker submitted HR 4084 through HR 4088

Here are the fact sheets for those bills. Let me know if you need more

HR 4087 is TE-1-04

HR 4088 is TE-2-04

HR 4085 is TE-3-04

HR 4086 is TE-4-04

HR 4084 is TE-5-04

<<te104.doc>> <<te204.doc>> <<te304.doc>> <<TE404.doc>>  
<<TE504.doc>>

108TH CONGRESS  
2D SESSION

# H. R. 4085

To suspend temporarily the duty on 2-Naphthalenesulfonic acid, 7,7'' - [(2-methyl-1,5-pentanediy) bis[imino(6-fluoro-1,3,5-triazine-4,2-diyl) imino]] bis[ 4-hydroxy-3-[(4-methoxy sulfophenyl) azo]-, potassium sodium salt.

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## IN THE HOUSE OF REPRESENTATIVES

MARCH 31, 2004

Mr. BAKER introduced the following bill; which was referred to the Committee on Ways and Means

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## A BILL

To suspend temporarily the duty on 2-Naphthalenesulfonic acid, 7,7'' - [(2-methyl-1,5-pentanediy) bis[imino(6-fluoro-1,3,5-triazine-4,2-diyl) imino]] bis[ 4-hydroxy-3-[(4-methoxy sulfophenyl) azo]-, potassium sodium salt.

1       *Be it enacted by the Senate and House of Representa-*  
2   *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SUSPENSION OF DUTY ON 2-**  
2 **NAPHTHALENESULFONIC ACID, 7,7" - [(2-**  
3 **METHYL-1,5-PENTANEDIYL) BIS[IMINO(6-**  
4 **FLUORO-1,3,5-TRIAZINE-4,2-DIYL) IMINO]] BIS[**  
5 **4-HYDROXY-3-[(4-METHOXY SULFOPHENYL)**  
6 **AZO]-, POTASSIUM SODIUM SALT.**

7 (a) IN GENERAL.—Subchapter II of chapter 99 of  
8 the Harmonized Tariff Schedule of the United States is  
9 amended by striking heading 9902.32.86 and inserting the  
10 following:

“	9902.32.86	2-Naphthalenesulfonic acid, 7,7" - [(2-methyl-1,5- pentanediyl) bis[imino(6- fluoro-1,3,5-triazine-4,2-diyl) imino]] bis[ 4-hydroxy-3-[(4- methoxy sulfophenyl) azo]-, potassium sodium salt (CAS No. 152397–21–2) (provided for in subheading 3204.16.30) .....	Free	No change	No change	On or before 12/31/2007	”.
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11 (b) EFFECTIVE DATE.—The amendment made by  
12 subsection (a) applies to articles entered, or withdrawn  
13 from warehouse for consumption, on or after the 15th day  
14 after the date of the enactment of this Act.

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